

had one, for the car was virtually destroyed. What remains of it, and that is not much, is now in a lot near the place where the shooting occurred.

Pursuing the theory that Raymond Schneider, the accused of Hayes, may know more than he has told, the prosecutors today sent for the "Toad," an employee of the Eagle Laundry and at one time, from all accounts, an admirer of Pearl Bahmer. Toth was asked whether it was the custom of Schneider to carry a gun. He replied that he didn't know, but that he had heard on one occasion that Schneider had threatened to shoot him and had gone up to Schneider and demanded to know whether he had a gun. Schneider's answer was to turn his pockets inside out and prove he was unarmed. "If he had had a gun I was going to take it away from him," said Toth.

Life Back on "Honors."

But on another occasion Toth said Schneider had a gun, or at least he lent it to Pearl Bahmer. It was the three were talking. This, too, was of 22 caliber. Almost every weapon the authorities have got hold of is a .22 caliber pistol. The crime was committed with a .22 caliber.

While there is every disposition today to dismiss as worthless the tale of the finding of a bloody handkerchief in the Phillips farm house on the day the bodies were discovered, there is some reason to believe there may be more to this story than appears at first glance. The handkerchief is being investigated, as it fits in nicely with a theory on which some of the sleuths not connected with the offices of Beckman and Noyes may rely. Since the arrest of Hayes the prosecutors have been more or less living back on their "honors." Virtually nothing has been done in the last two days on the old lines of inquiry. There is also a marked disposition not to get excited over cases that may seem to get a little hard work to follow up.

None Suspects Hayes.

While the Bahmers, father, son and daughter, held the stage for the moment, though their connection with the actual crime appears to be flimsy and the theory that embraces them far-fetched, they are the only ones who are being investigated. There is also a marked disposition not to get excited over cases that may seem to get a little hard work to follow up.

There is reason to believe to-night that Schneider may recall and thereby bring about the liberation of Hayes. Schneider is a sick young man and is not enjoying his stay in the Soldiers' Home. He is being nursed by his mother, according to his own lawyer, deficient mentally, he appears likely to go to pieces at any time.

Just Imagination.

If Schneider gets back, as his counsel is sure he will, he will not find himself popular in the Sixth Ward, where both he and Hayes lived. The feeling is strong, and probably will result in more trouble of the sort that broke late last night when Detective Frank P. Kirby nearly was mobbed by some of the most violent of Hayes's followers.

It has been decided as far as Hayes is concerned that no writ of habeas corpus shall be issued, inasmuch as the prosecutors have sufficient in the way of a prima facie case to hold the prisoner. If Hayes, counsel for Hayes, said today that Hayes had talked to him at length, and added: "I am not willing to make the contents of his statement public at this time, but I will give you a minute of his time for a week before the murder. I am satisfied that Schneider was not there either, and that the whole story is just a product of his imagination."

This clearly shows that an alibi will be Hayes's defense, his statement being to the effect that he was a housewife on the morning of the murder. In this assertion it is understood his family will support him. Hayes, in jail, is in a much better way than Schneider, content and keeping his nerve admirably.

Women to Help Hayes.

It is quite probable that the American Legion of New Jersey and perhaps of the country will be called on to aid the defense of Hayes. The plan is to plan for a public subscription and a tag day being completed here but today Mrs. Joseph Warren Danforth of 172 Glenwood avenue, East Orange, came here with a delegation of women and after conferring with those who are preparing for the defense fund activities said that, having been in war work and seeing that young Hayes had been in the navy, they had determined to lend their aid. Mrs. Danforth said she would appeal at once to the Legion in New Jersey to help, and that she hoped through the New Jersey posts to arouse sentiment in the Legion throughout the country and thus bring the national organization into the case.

At the City Hall it was announced this afternoon that Mayor Morrison had taken up a proposal that next Saturday be "tag day" for the Hayes defense fund with the other members of the city commission and that every member was in favor of the plan. It is expected that the Mayor will issue a formal proclamation on the subject at once.

A request for full publicity was made this afternoon by Russell R. Kelly of 21 Bartlett street, heading a movement of friends who have organized a "Justice fund." The tags will be small discs with Hayes's name on one side, the other bearing Kelly's. "The truth is, one's heart does not fear the lie on the other's tongue," Kelly has asked that contributions be sent to the fund.

Explains Having Gun.

Already scores of persons have volunteered as collectors and distributors of the tags.

Hayes has an explanation for his having a gun with him on the night of the murder. It was learned he had an official tag when I was in Stricker's office on Sunday afternoon they asked me about Leon Kauffman's story that I had a gun with me on that night. I said 'yes, I had a gun,' but really it wasn't a gun at all. It was a 22 caliber cartridge pistol that I was carrying in a pipe case back of my belt and partly under my olive sweater. I bought the thing just July 3 and on the next day went with another fellow out in a taxi cab toward Middlebush, and all the way we fired the thing through the cab window.

FOUND ANYTHING?

It is being advertised in the East and West columns of today's New York Herald.

ALCOHOLIC DEATHS INCREASE 100 PER CENT. IN THIS STATE

ALBANY, Oct. 11.—In the first seven months of 1922 there were 172 deaths from alcoholism in New York State. In the same period of 1921 there were 83. Most of this increase was in New York city, the rural sections coming second and the up-State cities as a group, third.

There was a general increase in the State's death rate for the period named. The rate up to the end of July last was 13.9, while a year ago the same period showed a rate of 12, a difference equivalent to 7,933 deaths. An increase also was reported in infant mortality, and a decrease amounting to 4,235 births.

The State Health Department said the rise in the general death rate seemed to be accounted for "by the striking increase in the number of deaths from organic diseases of the heart and arteries" and a failure to maintain the low death rate for tuberculosis which was established last year.

Nick Bought Gun.

There is talk to-night that another Bahmer is to be taken to the court house, but whether to be questioned or to be placed under arrest is still a matter in the minds of Beckman, Stricker and Toth. The newcomer when he arrives will be "Happy" Bahmer, christened Harry, son of Nick and brother of Pearl, the woman who was shot. He is being held in the Soldiers' Home, where he is being nursed by his mother. Happy closely resembles his father in disposition, not physique.

Nick was quoted today as having more than once threatened to cut Pearl's throat and thus for a time was looked upon as a possible suspect in this murder case. The woman's cut throat is a vital factor, though the coroner's physician did not seem to think so. Later Nick recanted and said he never had made such a threat. He has changed his story in some other respects, too. He denied he had a .45 caliber revolver the night of the murder. It was learned, however, that he bought a .22 Colt's automatic on September 23, nine days after the murder was committed. This gun was traced and Nick's statement verified. He paid \$25.00 for the gun and said he lost it shortly after he bought it.

Bahmer said he would not have known Hall and Mrs. Mills if he had seen them. He was not acquainted, he now contends, with either Hayes or Schneider. He said he held no grudge against Schneider. He still says he thinks Pearl knows more than she is telling, and she, in an interview to-day, said of her father: "He might have done it."

Cling to Blackmail Theory.

As a matter of fact there appears to be not the slightest real reason for connecting the Bahmers with the crime. Their characters and reputations as well as their unfamiliarity with veracity is causing them to be constantly regarded with suspicion. There is no real effort on the part of the authorities, however, to link them up with the crime itself, though through this family they may find a channel into New Brunswick's underworld which will enable them to find worth while clues. The theory that the Bahmers have been by gunmen either for pay or blackmail, has not been abandoned by any means.

Mrs. Raymond Schneider, whose visit in the twilight to the mysterious Phillips farm after she had seen the spot where the bodies were found, caused comment yesterday. In view of the fact that she produced a key that fitted the Phillips farmhouse door, she explained at South River that the key was that to her own home and that she tried it in the door to see if it would fit. Here again one of the amazing coincidences in this case leads to nothing.

Crowd Pursues Lyons.

Detective Kirby denied today that he had signed as a witness the Schneider statement accusing Hayes. He said he did not even see Schneider sign. The statement published is not the statement on which Hayes was held, but one of the other four that Schneider signed, then repudiated in part.

It is Kirby's neighbors who are most intense against him. He lives near the Hayes home. Kirby refused to back up the charge he made after the near riot last night against James Lyons, who had threatened to tar and feather him in the heart of the midnight row. Lyons called Kirby a "dirty rat" in police headquarters, but would not talk to reporters afterward, further than to say: "I have nothing to say to the newspapers, but that dirty rat got to me out of town. He is not fit to live with decent people."

The night row was precipitated by Lyons accusing Kirby of helping to frame Hayes. Kirby was arrested and Lyons hit him on the jaw. A crowd gathered and pursued Lyons, who was rescued by the police after he had taken refuge in the railroad station.

WALL STREET SUSPECT HELD ON FRAUD CHARGE

WOLFE LINDENFELD ARRESTED AGAIN IN WARSAW.

WARSAW, Oct. 11.—Wolfe Lindenfeld, who was arrested last year in connection with the Wall Street explosion in New York city and who was recently released on bail here, has been rearrested on a charge of obtaining \$900 from various persons for whom he promised to get American passport visas.

Lindenfeld, also known under the alias William Linde, when arrested in Warsaw last year, was said to have given the names of the ring leaders in the Wall Street bomb explosion of 1920, but to have declined to tell of his whereabouts at the time of the explosion. A dispatch from Warsaw June 15 last announced the arrival there of Detective-Sergeant Clinton Wood of the New York police, who, it was stated, had been loaned to the American Department of Justice at Washington so that he might go to Poland and bring back Lindenfeld to the United States. Wood arrived in Warsaw just as the local police were about to accept bail of \$30,000 marks on the bomb charge.

The dispatch added that bail was refused Lindenfeld and the charges in connection with the Wall Street explosion had been suspended, but that the prisoner would be held on new allegations of blackmail and extortion.

BUMP INTO HOT COCOA KILLS 8-YEAR-OLD BOY

Lad's Sudden Stand Knocks Pan From Hand of Father.

Joseph Paduke, 8 years old, died at Newton, N. J., yesterday from burns suffered when he was bumped into a hot stove by his father, Samuel Paduke, who was cooking.

Flames Tie Up Trains for Several Minutes

Flames from a commercial auto truck which caught fire in front of 129 West Third street yesterday threatened the elevated structure and caused a tieup of trains on the Sixth avenue line for several minutes.

BURNING MOTOR TRUCK IMPERILS 'L' STRUCTURE

The truck, owned by the New York Cordon Company of 113 Spring street, was about to enter a garage when it took fire from some unknown cause. Firemen quickly extinguished the flames.

WARCRAFT TO BRING DIPLOMATS' LIQUOR

Foreign Army and Navy Vessels Are Exempt From Seizure.

PERMIT FOR TRANSFER

Shipping Board Officials Believe Alien Craft Will Escape Ban.

DRY NOTICES PREPARED

Mellon to Sign Forms To-day Announcing Forthcoming Regulations.

Special Dispatch to THE NEW YORK HERALD.

Another step toward enforcing the ship liquor ruling of Attorney-General Daugherty was taken today when the Treasury Department officials were to be transmitted to every agency of the Government notifying them of the forthcoming issue of new regulations.

The form will be signed by Secretary Mellon early to-morrow and sent all over the country. It is merely a notification of the application of the Daugherty ruling to all American privately owned ships on and after October 15 and to all foreign ships within American territorial waters on the same date.

Commissioner Haynes expects that the new regulations under the Daugherty opinion covering every phase of the problem will be ready by that date. At the same time Treasury officials who are drafting the regulations admit that the task is one which may well require more time than is afforded by the "curfew call" date tentatively fixed. Unless the new regulations are ready on the date specified it is indicated that enforcement officials will remain within the bounds of existing regulations.

Embarrassing Point Cleared.

One of the embarrassing aspects of the new ruling from the international standpoint was cleared up today when it became known that liquor supplies of embassies and legations can be procured without conflict with the ruling of the Attorney-General. A British warship flying the Union Jack and carrying all sorts of intoxicating beverages for the embassy here or for the private use of Ambassador Geddes can steam up to Annapolis or Washington, transfer the liquor to a motor launch, and land on the coast of arms and send it to the embassy on Connecticut avenue. A vessel belonging to the French navy or army, flying the French flag, can transfer liquor to an American port to a French embassy conveyance and send it to the embassy on Sixteenth street. Other nations can work it the same way.

The transfer, it was stated, must be made under a permit issued by the United States Government, but there will be no trouble about that. The sum and substance of the situation is that the diplomatic missions in America is that foreign army and naval vessels are not subject to seizure, the barring of liquor not applying to them under the accepted interpretation of international law.

At present foreign missions get their liquor supplies from warehouses where they had it stored or from ships direct from their respective countries.

Rumors Called Unfounded.

Rumors current to-day to the effect that regulations had been issued by the Secretary of the Treasury providing for seizure of any American ship found with liquor on board were declared by Commissioner Haynes to be without foundation.

"Our legal department," he said, "is preparing rules and regulations which will be promulgated by the Secretary of the Treasury as a result of the decision of the Attorney-General regarding the presence of intoxicating liquor on both American and foreign ships."

"So far as foreign ships within the three mile limit and having liquor in their possession are concerned, the limit was fixed by the President as of October 14. Before that time the regulations for the seizure of foreign ships were not in force. Officials will have been made public and then our officials will be guided accordingly. But no orders to seize American ships in possession of liquor have been issued from this bureau. We do not intend to take any hasty action."

Officials of the United States Shipping Board are firmly convinced that the Daugherty ruling never will reach the stage of hindering foreign vessels. The indications now are that foreign shipping companies will take the initiative and seek an injunction, irrespective of the terms of the ruling, to prevent the seizure of their ships.

It is believed that such an injunction will keep the bars of foreign flag ships open pending the issue of diplomatic representations or a final ruling from the Supreme Court.

Some foreign countries probably will proceed on the ground that the application of the regulations under the Daugherty ruling conflicts with sections of commercial treaties with the United States. This, however, is a question on which the State Department is silent, preferring not to go to meet trouble before it comes. But that it will be regarded as a certainty. Probably the situation will remain calm until the regulations of the prohibition unit of the Treasury are actually put into force.

Interference with the rights of foreign ships as heretofore admitted becomes an overt act.

Shipping Board officials, while admitting the wide latitude for retaliation that foreign nations can resort to as a last club, believe that this will not be applied immediately and that an effort will be first made by the major Powers to clear the situation through diplomatic correspondence.

If it is actually the case that the ruling conflicts with commercial treaties it amounts to actual denunciation of these sections of the treaties and in most treaties a specific period of time is required before denunciation can become effective. Retaliation might come in the form of denouncing treaty rights enjoyed by the United States in foreign harbors.

Members of Congress here to-day were speculating on the result of the Daugherty decision on the proposed ship liquor measure. It was argued by Democrats and Republicans that it would add votes when the final show-

'PARADISE' TO BE PADLOCKED A YEAR AS LIQUOR NUISANCE

Volstead Act Order Against Reisenweber's Old Place Confirmed by Judge Manton—Decree to Be Effective Immediately.

"Paradise," formerly Reisenweber's, at Fifty-eighth street and Eighth avenue, is to be closed immediately for one year. Judge Martin T. Manton in United States District Court yesterday ordering in effect his decree of July 6 last to shut the place as "a public nuisance."

The decree, being suspended for six months so that its modification or revocation might be applied for, on condition that no liquor be sold. Recently evidence was taken by the United States Attorney, William C. Hecht, United States Marshal, who received orders to close it.

This is the first time that the "public nuisance" provision of the Volstead act has been used fully in this city, except against the Ritz Restaurant in Brooklyn, which was sold while proceedings were pending.

Giving warning that similar action might follow against other restaurants, Col. William Hayward, United States Attorney, said Judge Manton's action was "the greatest step forward toward law enforcement and restoring respect for the law that has occurred since the Volstead act went into effect."

"All corporations and individuals who are landlords of properties containing hotels, cafes, restaurants or cabarets may take warning that it is my intention to secure as rapidly as possible unimpeachable evidence and close up these places which have been defying the law. They have had every warning, and the tremendous financial loss that they will suffer will not be my fault but theirs."

The "Paradise" order grew out of proceedings begun in United States District Court on March 30 last by John Holley Clark, Jr., of Victor House, Assistant United States States Attorney. At later hearings Capt. B. Raymond Noyes said he had bought and drunk champagne in the restaurant, and Policeman Burke testified to other violations of the Volstead act.

At a rehearing last week it was contended that the evidence was insufficient. "Duffy's sparkling champagne corks," it was said, were not evidence.

TRUCK STRIKES CAR AND HURTS NINETEEN

Passengers Cut and Bruised in Crash in Sixteenth Street.

Nineteen passengers of a northbound Avenue B surface car were injured yesterday when a three ton truck of the California Bottling Company turned from First avenue into Sixteenth street, sideswiping the car and shattering glass over the occupants. The front part of the car was wrecked, but the truck was damaged only slightly. The passengers suffered from shock, contusions and in some cases possible fractures. Only one was unable to continue on her way after treatment.

Julia Kahn, 16, of 331 East Fourteenth street, suffered from severe shock and had to be taken to Bellevue Hospital.

SHOOT'S WIFE, BREAKS HIP IN WINDOW LEAP

Husband Jumps as Police Try to End Family Jar.

A California case now pending in the Supreme Court may have a bearing on the situation brought about by the Daugherty ruling. Wesley L. Sischo, owner of a ship seized by the Government because it contained in its cargo several thousand dollars' worth of liquor, is fighting to prove that his property was illegally taken from him and held.

On the other hand, the Government asserts that the manifest should have listed the opium with the importable articles aboard, and, failing to do this, he is subject to the law. A test is being made by the government, which lost in the lower courts. It is argued that the law requires everything in the ship's cargo be put on the manifest. Sischo denies that the law does any such thing.

If the Government wins this case liquor will have to be listed on the ship's manifest with other things imported. The Government holds that every article capable of being smuggled into the country whether legally importable or not, must be shown on the manifest.

PLEAD GUILTY OF PLOT TO SMUGGLE LIQUOR

Two Are Held in Seizure of Harbinger From St. John.

Special Dispatch to THE NEW YORK HERALD.

THRENTON, Oct. 11.—James J. McGuire, a mechanic and inventor of Ellizabeth, and Benjamin Workman, alleged leaders in the rum smuggling plot which resulted in the seizure of the seagoing tug Harbinger at Perth Amboy last February, pleaded guilty today to conspiracy to import intoxicating liquor into the country.

The Harbinger cleared from St. John, N. B., with a cargo of liquor consigned to Nassau in the Bahamas. The cargo was put into Perth Amboy and part of the cargo was landed before seizure of the tug. Six others were indicted with McGuire and Workman, but the case against them was nolle prossed.

TO ASK RUSTON ABOUT RUM.

Hirshfeld Wants to Know What Becomes of Evidence.

Commissioner of Accounts Hirshfeld said yesterday he intended to subpoena District Attorney Ruston of Kings county to learn just what had become of liquors requisitioned from the police by his staff for purposes of prosecution.

"I am waiting for the police to give me a list of liquors seized in Brooklyn and of those requisitioned by the District Attorney," he said. "I am also waiting for a list of jewelry, revolvers, furs, guns and other articles of value which were recovered by the police and used as evidence by the District Attorney."

FUGITIVE ELEPHANT LOST FAR IN CAROLINA SWAMP

Alligators Block Pursuit by Circus Keepers.

WILMINGTON, N. C., Oct. 11.—The big circus elephant that escaped a second time here last night had disappeared today in the semi-tropical jungle along the Brunswick River.

The animal, known as the Cape Fear River and at latest reports to the Wilmington police had penetrated far into the swamps lying between the Cape Fear and the Brunswick. Three keepers were in pursuit, but the vegetation is so dense and the danger from alligators so great that they encountered constantly increasing obstacles.

No one was injured by the elephant, but the property damage is estimated at several thousand dollars. She broke down fences, plodded across lawns and flower beds and toppled over several parked automobiles.

COMPENSATION SLOW, CHARGE DISABLED MEN

Calder and Siegel Pay Visit to Veterans' Hospital 81.

Senator Calder and Representative Isaac Siegel of Harlem yesterday visited the United States Veterans Hospital No. 81, Kingsbridge road and Sedgwick avenue, The Bronx, to investigate complaints about the treatment received by wounded war veterans.

They reported later that so far as outward appearances went there was nothing to complain of, but that in a number of cases the disability compensation was alleged to have been delayed without apparent reason. In one case the family of a disabled soldier was in danger of being dispossessed of non-payment of rent in Brooklyn. In another case a veteran said he had not received his check since August, 1921.

Senator Calder communicated with the local offices of the Veterans Bureau which promised to look into the matter.

PHILADELPHIA TWICE AS WET AS NEW YORK

At Least It Breaks Dry Law Twice to Once Here.

For the first nine months of this year there have been approximately 16,300 persons arrested in the city for violation of Federal and State prohibition laws or for being drunk, as compared with 32,000 in Philadelphia for a like period. These figures do not include intoxicated persons advised to go home or chased off boats by the police in either city.

In New York 6,540 persons were arrested for being drunk and disorderly, while in Philadelphia the police blotter recorded 35,925 similar cases. In Philadelphia 7,078 persons were taken into custody for violation of the prohibition laws, while in New York city there were approximately 9,330 arrested for a like offense.

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The furs which model these new fur fashions are choice Eastern Mink, Broadtail, the new Bark Caracul, Beige Caracul, Black Caracul, Squirrel, Mole, Kolinsky and Hudson Seal (dyed muskrat) in self or stunning combination effects with contrasting furs.

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Of Brown Lapin, Squirrel, Lock or Taupe Nutria, \$195 Of New Bark Caracul \$295

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